

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-23649 of 2017 (O&M)

Date of Decision: 17.07.2017

Amit

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sanjeev Kodan, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.202 dated 16.06.2012 registered for offences punishable under Sections 364, 302, 201 read with Section 34 of Indian Penal Code (for short, "IPC") and 25 of the Arms Act, at Police Station Meham, District Rohtak.

Heard.

Notice of motion.

On asking of the court, Mr. Amrik Narwal, DAG, Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

Learned counsel for the petitioner submits that the petitioner was arrested on 20.06.2012 and his co-accused, namely, Ombir @ Commando and Vikram @ Monu have since been allowed bail vide orders dated 29.04.2016 and 20.10.2016 passed in CRM-M-559 of 2016 and CRM-M-16323 of 2016, respectively.

Learned State counsel submits that the prosecution has now concluded evidence of the case and the same is now fixed for 19.07.2017 for recording of statements of accused, as such, no ground is made out, at this stage, for grant of regular bail to the petitioner.

On perusal of order dated 29.04.2016 passed in CRM-M-559 of 2016, I find that the bail was allowed to co-accused Ombir @ Commando on the basis of weak evidence against him. On perusal of evidence, produced by prosecution, it was observed that the same is indicative of motive and role played by the petitioner and his co-accused Parveen, Rakesh and Suresh. In the bail application filed by co-accused-Vikram @ Monu, this Court, on the basis of evidence against him, had issued direction to prosecution to conclude the trial within five months. In the event of evidence being not concluded within five months, co-accused-Vikram @ Monu was allowed bail.

Bail to Ombir @ Commando as well as Vikram @ Monu was allowed keeping in view the peculiar facts and circumstances appearing against them. Now after conclusion of prosecution evidence, I find no reason to extend the benefit of regular bail to the petitioner.

Dismissed.

July 17, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No